

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

RONALD METCALFE,)	Case No.: 5:12-CV-1445-LHK
)	
Plaintiff,)	
)	ORDER DENYING REQUEST FOR
v.)	30 DAY EXTENSION
)	
CALIFORNIA DEPARTMENT OF)	
CORRECTIONS & REHABILITATION;)	
SALINAS VALLEY STATE PRISON ("SVSP")))	
WARDEN A. HEDGPETH; FORMER SVSP)	
WARDEN M. EVANS; FORMER SVSP CHIEF)	
DEPUTY WARDEN G. NEOTTI; FORMER)	
SVSP CHIEF DEPUTY WARDEN G. LEWIS;)	
CORRECTIONAL TRAINING FACILITY)	
("CTF") WARDEN R. GROUNDS; FORMER)	
CTF WARDEN(A) C. NOLL; and DOES 1)	
THROUGH 50 INCLUSIVE,)	
)	
Defendants.)	

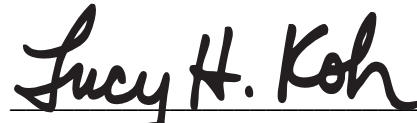
On February 19, 2013, Plaintiff Ronald Metcalfe filed a status report in which Plaintiff stated "that at the mediation conducted in this case on Friday, February 15, 2013, a conditional settlement of the entire action was reached, subject to internal approvals within CDCR, necessary governmental approvals, and execution of a formal settlement agreement and release in proper form." ECF No. 32. Plaintiff requested that the case management conference scheduled for February 20, 2013 be continued for thirty days. *See id.* Over the past six months, the parties have filed numerous requests that the Case Management Conference in this matter be continued so that CDCR could approve the settlement agreement and so that this case could be dismissed. ECF Nos.

34, 37, 39. Each time, the parties have represented that Plaintiff will dismiss this case and re-file in state court if CDCR does not approve the settlement. *See id.*

On July 24, 2013, the parties filed a status report in which the parties state that CDCR has decided not to approve the settlement agreement. ECF No. 41. The parties request yet another 30 day extension of time so that they can have further settlement discussions. The parties request for a 30 day extension is DENIED. The Court hereby ORDERS that, by noon on July 29, 2013, Plaintiff shall file a stipulation of dismissal. If Plaintiff does not file a stipulation of dismissal, the parties must file a Joint Case Management Conference Statement ("JCMS") by the same date and time. The Case Management Conference scheduled for July 31, 2013 at 2:00 p.m. remains as set. In the parties' JCMS the parties should propose a new schedule for this matter.

IT IS SO ORDERED.

Dated: July 26, 2013



LUCY H. KOH
United States District Judge